

from the local governmental entity of the alleged violation.

Added by Acts 2005, 79th Leg., ch. 1014, § 1, eff. June 18, 2005. Amended by Acts 2007, 80th Leg., ch. 226, § 5, eff. May 25, 2007.

§ 176.006. Disclosure Requirements for Vendors and Other Persons; Questionnaire

(a) A person described by Section 176.002(a) shall file a completed conflict of interest questionnaire if the person has a business relationship with a local governmental entity and:

- (1) has an employment or other business relationship with an officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A); or
 - (2) has given an officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1).
- (a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

- (1) the date that the person:
 - (A) begins discussions or negotiations to enter into a contract with the local governmental entity; or
 - (B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or
- (2) the date the person becomes aware:
 - (A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a); or
 - (B) that the person has given one or more gifts described by Subsection (a).
- (b) The commission shall adopt a conflict of interest questionnaire for use under this section that requires disclosure of a person's business relationships with a local governmental entity.
- (c) The questionnaire adopted under Subsection (b) must require, for the local governmental entity with respect to which the questionnaire is filed, that the person filing the questionnaire:

(1) describe each employment or business relationship the person has with each local government officer of the local governmental entity;

(2) identify each employment or business relationship described by Subdivision (1) with respect to which the local government officer receives, or is likely to receive, taxable income, other than investment income, from the person filing the questionnaire;

(3) identify each employment or business relationship described by Subdivision (1) with respect to which the person filing the questionnaire receives, or is likely to receive, taxable income, other than investment income, that:

(A) is received from, or at the direction of, a local government officer of the local governmental entity; and

(B) is not received from the local governmental entity; and

(4) describe each employment or business relationship with a corporation or other business entity with respect to which a local government officer of the local governmental entity:

(A) serves as an officer or director; or

(B) holds an ownership interest of 10 percent or more.

(d) A person described by Subsection (a) shall file an updated completed questionnaire with the appropriate records administrator not later than the seventh business day after the date of an event that would make a statement in the questionnaire incomplete or inaccurate.

(e) Repealed by Acts 2007, 80th Leg., ch. 226, § 9, Acts 2009, 81st Leg., ch. 87, § 15.005.

(f) A person commits an offense if the person knowingly violates this section. An offense under this subsection is a Class C misdemeanor.

(g) It is an exception to the application of Subsection (f) that the person filed the required questionnaire not later than the seventh business day after the date the person received notice from the local governmental entity of the alleged violation.

(h) A local governmental entity does not have a duty to ensure that a person described by Section 176.002 files a conflict of interest questionnaire.

(i) The validity of a contract between a person described by Section 176.002 and a local governmental

entity is not affected solely because the person fails to comply with this section.

Added by Acts 2005, 79th Leg., ch. 1014, § 1, eff. June 18, 2005. Amended by Acts 2007, 80th Leg., ch. 226, § 6, 9, eff. May 25, 2007; Acts 2009, 81st Leg., ch. 87, § 15.005, eff. Sept. 1, 2009.

§ 176.007. List of Government Officers

The records administrator for a local governmental entity shall maintain a list of local government officers of the entity and shall make that list available to the public and any person who may be required to file a questionnaire under Section 176.006.

Added by Acts 2005, 79th Leg., ch. 1014, § 1, eff. June 18, 2005.

§ 176.008. Electronic Filing

The requirements of this chapter, including signature requirements, may be satisfied by electronic filing in a form approved by the commission.

Added by Acts 2005, 79th Leg., ch. 1014, § 1, eff. June 18, 2005.

§ 176.009. Posting on Internet

(a) A local governmental entity that maintains an Internet website shall provide access to the statements and to questionnaires required to be filed under this chapter on that website. This subsection does not require a local governmental entity to maintain an Internet website.

(b) This subsection applies only to a county with a population of one million or more or a municipality with a population of 500,000 or more. A county or municipality shall provide, on the Internet website maintained by the county or municipality, access to each report of political contributions and expenditures filed under Chapter 254, Election Code, by a member of the commissioners court of the county or the governing body of the municipality in relation to that office as soon as practicable after the officer files the report.

Added by Acts 2005, 79th Leg., ch. 1014, § 1, eff. June 18, 2005. Amended by Acts 2007, 80th Leg., ch. 226, § 7, eff. May 25, 2007; Acts 2011, 82nd Leg., ch. 1103 (H.B. 2702), § 7b, eff. Sept. 1, 2011.

1 V.T.C.A., Election Code § 254.001 et seq.

Repeal

Acts 2013, 83rd Leg., ch. 847 (H.B. 195), § 3(b) repeals subsec. (b) effective Jan. 1, 2014.

Section 201 of Acts 2011, 82nd Leg., ch. 1103 (H.B. 2702) provides:

"(a) This Act is not intended to revive a law that was implicitly repealed by a law enacted by the 81st Legislature or a previous legislature.

"(b) To the extent that a law enacted by the 82nd Legislature, Regular Session, 2011, conflicts with this Act, the other law prevails, regardless of the relative dates of enactment or the relative effective dates."

Section 4 of Acts 2013, 83rd Leg., ch. 847 (H.B. 195) provides:

"Section 254.0401, Election Code, as amended by this Act, and Section 176.009, Local Government Code, as amended by this Act, apply only to a report of political contributions and expenditures that is required to be filed under Chapter 254, Election Code, on or after January 1, 2014."

§ 176.010. Requirements Cumulative

The requirements of this chapter are in addition to any other disclosure required by law.

Added by Acts 2005, 79th Leg., ch. 1014, § 1, eff. June 18, 2005.

§ 176.011. Maintenance of Records

A records administrator shall maintain the statements and questionnaires that are required to be filed under this chapter in accordance with the local governmental entity's records retention schedule.

Added by Acts 2007, 80th Leg., ch. 226, § 8, eff. May 25, 2007.

§ 176.012. Application of Public Information Law

This chapter does not require a local governmental entity to disclose any information that is exempted from disclosure by Chapter 552, Government Code.

Added by Acts 2007, 80th Leg., ch. 226, § 8, eff. May 25, 2007.

1 V.T.C.A., Government Code § 552.001 et seq.

CHAPTER 177. LIFE, HEALTH, AND ACCIDENT INSURANCE FOR OFFICIALS, EMPLOYEES, AND RETIREES OF POLITICAL SUBDIVISIONS

SUBCHAPTER A. GENERAL PROVISIONS

Section 177.001. Certain Coverage Authorized.
177.002. Payment of Premiums.
177.003. Use of State Funds.

SUBCHAPTER B. HEALTH AND INSURANCE FUND

177.051. Fund Authorized.
177.052. Payment of Money Into Fund.
177.053. Use of Money in Fund.
177.054. Payment of Claims From Fund.